

REMARKS

Information Disclosure Statement

On Applicant's Form PTO-1449 signed by the Examiner on December 6, 2004, the Examiner has handwritten a note that says "Applicant must resubmit this without copying the hyperlink. Hyperlinks cannot be printed on the front of patent." As best as Applicants understand this comment, the Examiner is objecting to the form of Applicants' citation to references A21-A22 and not to the references themselves. Along with Applicants' Form PTO-1449, Applicants submitted print-outs from these hyperlinks for the Examiner's consideration. In order to satisfy the Examiner's objection to Applicants' citations, Applicants hereby resubmit the citations for references A21-A22 with the hyperlinks removed from the citations. The references themselves are not being resent since they have already been submitted and the Examiner has already seen them. If the Examiner has any other questions, the Examiner should feel free to contact the Applicants' attorney.

Drawing Objections

The Examiner has objected to the color drawings that were filed with the application. In applicants' filing papers, it was explained that the color drawings were intended only for examination purposes and that formal black and white drawings would be submitted before issuance. Accordingly, on August 24, 2004, Applicants submitted the formal black and white drawings in a paper titled "Submission of Formal Drawings." In case Applicants' formal drawings have been misplaced, a new set of the formal drawings are being submitted herewith.

Specification Objection

The Examiner has objected to paragraph [0016] of Applicants' specification because the third member is referred to as both feature 150 and feature 158. This is an inadvertent error in the specification, and Applicants appreciate the Examiner's careful review. Accordingly, Applicants have amended paragraph [0016] above by changing the reference to 158 to 150.

Claim Rejections

The Examiner has rejected claims 1, 4-5, 10, 13, 15 and 23-24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,464,207 to Creel et al. Applicants have carefully considered the Examiner's comments. However, Applicants respectfully submit that Creel et al. does not disclose all of the limitations of Applicants' invention.

For example, all of the claims require a base or a base member. Both the first member and the third member are required to be pivotally connected to the base or base member.

In particular, claim 1 requires "a base disposed adjacent a floor in both said bottom position and said raised position." The first member is required to be "pivotally connected to said base." The third member is also required to be "pivotally connected to said base."

Claim 13 requires "a base disposed parallel to a floor." The first member is required to be "pivotally connected to said base." The third member is also required to be "pivotally connected to said base."

Claim 15 requires "a base member comprising a channel." The first member is required to be "pivotally connected to said base member." The third member is also required to be "pivotally connected to said base member."

Claim 23 requires "a base comprising corresponding base members disposed parallel to a floor and a rear cross beam rigidly attached to rearward ends of said base members." The first members are required to be "pivotally connected to a middle region of said base members." The third members are required to be "pivotally connected to said rear crossbeam."

By contrast, Creel et al. has no base or base member. The Examiner states that features 37, 38, 39 and 40 are the base in Creel et al. However, these features are feet 37, 38, 39, 40 that are made from pipe segments attached to the bottom ends of each of the legs 21, 22, 24, 25. (Col. 3, lines 42-44). Each of the feet 37, 38, 39, 40 are separate from each other, and there is no support structure interconnecting the feet. Thus, Applicants' claim limitations which require both the first member and the third member to be pivotally connected to a base or a base member are not satisfied.

Moreover, there is no other structure disclosed in Creel et al. that is pivotally connected to both a first member and a third member, where the first and third members are also pivotally connected to a second member.

Therefore, because Creel et al. does not disclose all of the limitations of Applicants' claims, Applicants' claims are allowable and the Examiner may withdraw all prior art rejections.


Conclusion

Applicants have placed the application in condition for allowance. In particular, Applicants have resubmitted their Form PTO-1449 with the hyperlinks in the citations of references A21-A22 removed. Applicants have also resubmitted their formal black & white drawings in case the previously submitted drawings have been misplaced. Applicants have also amended paragraph [0016] to correct an inadvertent typographical error pointed out by the Examiner.

Regarding the Examiner's prior art rejections, Applicants have clarified that all of the claims require a base or base member, where both the first and third members are pivotally connected to the base or base member. Creel et al. does not disclose a base or base member. Instead, each of the legs of Creel et al. are attached to separate feet. Therefore, Applicants' claims are allowable.

Accordingly, Applicants request reconsideration and allowance of their patent application.

Respectfully submitted,



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